

REMARKS

The present communication is responsive to the Official Action of November 17, 2004.

Applicants note with appreciation the Examiner's careful consideration and allowance of claims 35 and 36. Applicants also note with appreciation the Examiner's careful consideration of claims 28-34 and 38 and the indication that these claims would be allowable if rewritten in independent form. Applicants respectfully decline the Examiner's invitation to re-write these claims in independent form and respectfully submit that based on the present amendment, all the claims currently pending in the application are allowable.

Applicants have cancelled claims 1-18 and 25-27.

Applicants have amended claim 19 to now recite "a non-magnetic housing having an inner annular space; [and] a switch member housed in the inner annular space." Support for the amendments to claim 19 may be found by reference to, for example, FIGS. 2 and 4 and their accompanying descriptions. Applicants respectfully submit that no new matter has been added by the amendments to claim 19.

Claims 28-34 have been amended to correct their form.

Claim 37 has been amended to now recite "a non-magnetic buckle assembly including a housing, a locking member and a switch member and wherein said switch member provides an indication that a patient is secured to said patient support." Support for the amendments to claim 37 may be found by reference to, for example, FIG. 9 and its accompanying description. As such, applicants respectfully submit that the amendments to claim 37 do not constitute the addition of new matter.

The Examiner rejected claims 19 through 24 under 35 U.S.C. §102(b) as been anticipated by U.S. Patent No. 4,052,774 to Noda (hereinafter "Noda"). (Official Action, pg. 2) With regard to claim 19, the Examiner asserts that "Noda

teaches a belt buckle comprising a non-magnetic (plastic) housing and has a switch member and a non-magnetic (plastic) locking member, which is adapted to be received and secured by the housing, wherein the switch member is capable of providing an indication that the locking member is secured by the housing (figures 1 and 2, numeral 1, 2, 6, column 1, lines 4-51; columns 2 and 3, lines 50-68 and 1-65)." (*Id.*) Although it is unclear to applicants exactly what the Examiner considers to be a switch member in *Noda*, in view of the amendment to claim 19, applicants respectfully submit that claim 19 is clearly not anticipated by *Noda*.

In particular, *Noda's* plastic belt buckle 1 includes a plastic engaging element 2 that "comprises a plate portion, a base plate portion 5 and two engaging portions 6, 6." (*Noda*, col. 2, lns. 50-59.) Each engaging portion 6 includes a fitting means 18. (*Id.*, col. 3, lns. 35-37.) The fitting means may also comprise an incline surface portion 51. (*Id.*, col. 3, ln. 67, col. 4, ln. 2) None of the belt buckles disclosed by *Noda*, however, include "a non-magnetic housing having an inner annular space," as is now recited in claim 19. Thus, for at least this reason, the *Noda* patent does not anticipate claim 19, nor does *Noda* provide a basis to render claim 19 obvious.

In addition, none of the other references cited by the Examiner make up for this deficiency in *Noda*. As stated by the Examiner, U.S. Patent No. 6,023,1652 to Damadian, et al. (hereinafter "*Damadian*") does not teach a non-magnetic buckle assembly. (Official Action, pg. 3.) Further in this regard, U.S. Patent No. 3,381,2682 to Boblitz (hereinafter "*Boblitz*") does not disclose "a non-magnetic housing having an inner angular space," as is recited in claim 19. In fact, *Boblitz's* belt buckle is metallic.

The Examiner rejected claim 37 under 35 U.S.C. §103(a) as being unpatentable over *Damadian* further in view of *Noda*.

The Examiner asserts that *Damadian* teaches a magnetic resonance imaging apparatus and a patient support as is recited in claim 37. As previously noted, the Examiner admits that *Damadian* does not "specifically teach a non-magnetic buckle assembly including a housing, locking member and a switch member, wherein the switch member provides an indication of whether the belt buckle assembly is latched." (Official Action, pg. 3.) The Examiner, however, asserts that *Noda* makes up for this deficiency in *Damadian*. (*Id.*) As such, the Examiner concludes that it would have been obvious to one of ordinary skill in the art to adapt the non-magnetic buckle assembly of *Noda* with the patient support in the magnetic resonance imaging apparatus of *Damadian*.

Applicants respectfully traverse the Examiner's rejection of claim 37. In particular, neither *Damadian* nor *Noda* includes any motivation or suggestion to combine the references in the manner in which the Examiner has done. As admitted by the Examiner, *Damadian* does not teach a non-magnetic buckle assembly and *Noda* certainly includes no reference to a magnetic resonance imaging apparatus. Therefore, it is unclear to applicants why one skilled in the art would be motivated to adapt *Noda's* belt buckle for use in a magnetic resonance imaging apparatus in accordance with the combination of claim 37.

The Examiner also rejected claim 39 under 35 U.S.C. §103(a) as being unpatentable over *Damadian* and *Noda* further in view of *Boblitz*. Applicants respectfully submit that inasmuch as the Examiner has not provided any support in the references that would cause one skilled in the art to combine the references in the manner that the Examiner has done, claim 39 cannot be rendered obvious by the combination of *Damadian*, *Noda* and *Boblitz*.

Applicants respectfully submit that claims 19, 37 and 39 are neither anticipated nor rendered obvious by the references cited by the Examiner for at least the foregoing

reasons. In addition, inasmuch as claims 20 through 24 directly or indirectly depend from claim 19, applicants also respectfully submit that these claims are neither anticipated nor rendered obvious for at least the foregoing reasons.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited for the claims that were rejected in the Official Action, i.e., claims 19-24, 37 and 39. If, however, for any reason the Examiner - does not believe that such action can be taken at this time, it is respectfully requested that he telephone applicants' attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: February 17, 2005

Respectfully submitted,

By 

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